

Remarks

Claims 1-21 are pending in this application. Claims 1, 2, 6, 10, 12, 14, 15 and 18 are rejected under 35 U.S.C. §103(a) as being unpatentable over Frost in view of Baxter, Jr. Claims 3-5, 7-9, 11, 13, 16, 17, 19 and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 21 is allowed.

Claim Rejections – 35 U.S.C. §103

Claims 1, 2, 6, 10, 12, 14, 15 and 18 are rejected under 35 U.S.C. §103(a) as being unpatentable over Frost in view of Baxter, Jr. In the December 14, 2005 Office Action, the Examiner states in part, “Frost...discloses...first (82), second (84) and third (86) input clutches...”. (page 3 of Office Action) (emphasis added). The Examiner further states, “the input clutches are not defined in the claim as being connected to an input shaft or having some type of function (i.e. input to what? Or input between what?)”.

“Input clutch” is a commonly used term of art in the powertrain engineering field which refers to a clutch which transfers input torque into a transmission or transfer case when engaged. In light of the totality of the disclosure and the common industry use of the term “input clutch”, further descriptive language in the claims should not be required. However, the Examiner is invited to enter further descriptive language by way of Examiner's Amendment, such as “connected with an input shaft”, if such changes are determined to be necessary.

The U.S.P.T.O. has issued 682 patents using the term “input clutch” in the specification, of which 182 employ the term in the claims. The descriptive term “input” is not generic and open ended, but rather is taken from the source of power, i.e. an input shaft, requiring nothing further in the way of description. An input clutch is a clutch attached to an input shaft, usually in a direct manner, but which may also transfer ratioed torque indirectly from the input gear set in a manner to allow input torque from an input shaft into the transfer case or transmission.

Referring again to Frost, clutches 84 and 86 are reaction clutches (i.e., brakes) which are grounded to the housing 60. Reaction clutches (or brakes) cannot be

considered “input clutches” because they do not transfer torque from an input, but rather provide reaction forces. By contrast, as recited in the present application, “...the first input clutch 30 selectively connects the sun gear 22 with the input 14, the second input clutch selectively connects the carrier 24 with the input 14, and the third input clutch 34 selectively connects the ring gear 26 with the input 14.” *Specification, paragraph 25, lines 3-6. (emphasis added)*. Even if the Examiner rejects the premise that the definition of “input clutch” is commonly known in the art, the specification provides sufficient description, as recited above. Again, Applicants invite the Examiner to add the required descriptive language by Examiner’s Amendment to place the claims in better condition for allowance, if needed.

Further, the Examiner states “the connection between the chains and the planetary members in the claim isn’t defined as a “direct” or “continuous” connection.” (Office Action, page 2). Applicant believes that this language is not necessary, as the prior art does not teach the claimed connections. However, the Examiner is invited to add the term “continuously” between “transfer chains” and “connected” in claims 1 and 14, by Examiner’s Amendment, if deemed necessary. The Examiner is invited to phone the undersigned to facilitate these amendments, if necessary, but authorization for all claim amendments discussed above is hereby granted.

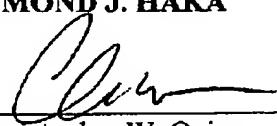
In light of the forgoing discussion, claims 1 and 14 are in condition for allowance. The respective dependent claims are allowable for at least the same reasons.

Allowable Claims

Applicants note with appreciation the Examiner’s indication of allowability of claim 21.

Respectfully submitted,

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Date: 2/7/06

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